UNITED STATES PATENT AND TRADEMARK OFFICE

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10/633,441	07/31/2003	Markus L. Rossmann	200206980-1	4553

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EXAMINER
FRENEL, VANEL

ART UNIT	PAPER NUMBER
3687	

NOTIFICATION DATE	DELIVERY MODE
10/17/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/633,441	ROSSMANN ET AL.
	Examiner	Art Unit
	VANEL FRENEL	3687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *6/18/08*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 15-30* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-11 and 15-30* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>20030731</u>.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the Amendment filed on 6/18/08. Claims

12-14 have been cancelled. Claims 1-2, 8, 18-19, 27 and 30 have been amended.

Claims 1-11, 15-30 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-7 and 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Sullivan (2003/0093320) in view of Gryglewicz et al. (6,993,502) and further in view

of Miller et al. (5,550,968).

(A)   As per claims 1-7 and 18-30, Sullivan discloses a computer program product

including program code, when executed on a computer system, for providing an

interface between a calling application and at least one callable application (See

Sullivan, Page 1, Paragraph 0002; Page 15, Paragraph 0129).

        Sullivan, however does not explicitly disclose a computer program product

having said program code representing a computer program which implements at least

two controllers which cooperate with each other and are at different hierarchical levels,

wherein said controllers are instances of a generic controller.

Gryglewicz shows a computer program product having said program code representing a computer program which implements at least two controllers which cooperate with each other and are at different hierarchical levels, wherein said controllers are instances of a generic controller (See Gryglewicz, Col.5, lines 55-67 to Co1.6, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Gryglewicz within the system of Sullivan with the motivation of utilizing table-driven technologies to apply existing tax code definitions for both conventionally taxed goods and services as well as digital goods and services provided electronically over the Internet (See Gryglewicz, Co1.4, lines 31-35).

Sullivan and Gryglewicz teach all the limitations above except "wherein the generic controller is a class, and the at least two controllers are subclasses inherited from the generic controller class". Therefore, Miller shows this limitation "wherein the generic controller is a class, and the at least two controllers are subclasses inherited from the generic controller class" (See Miller, Col.7, lines 25-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Miller within the collective teachings of Gryglewicz and Sullivan with the motivation of providing an object class for providing limiting user interaction to controls defined in a graphical user interface to which said object class is applied (See Miller, Col.4, lines 61-67).

As per claim 2, Sullivan discloses the computer program product wherein the computer program is written in an object-oriented programming language (See Sullivan, Page 15, Paragraph 0129).

As per claim 3, Gryglewicz discloses the computer program product wherein the calling application is a computerized business application or an online request handling application (See Gryglewicz, Co1.5, lines 46-67; Co1.6, lines 61-67).

As per claim 4, Gryglewicz discloses the computer program product wherein the at least one callable application is a transaction-tax service application (See Gryglewicz Co1.7, lines 30-67).

As per claim 5, Gryglewicz discloses the computer program product wherein the at least one transaction-tax service application is a transaction-tax calculation application or a transaction-tax logging application (See Gryglewicz, Col.2, lines 47-59; Col.6, lines 25-60).

As per claim 6, Gryglewicz discloses the computer program product providing an interface to at least two transaction-tax service applications, said transaction-tax service applications comprising at least two different transaction-tax calculation applications (See Gryglewicz, Col.7, lines 1-50).

As per claim 7, Gryglewicz discloses the computer program product wherein the controller at the higher hierarchical level is arranged for controlling an overall logic processing of the interface, and the controller or controllers at the lower hierarchical level is or are arranged for controlling a processing of the interface specific to the callable application or applications with which the respective controller is associated (See Gryglewicz, Col.8, lines 8-53).

4.   Claims 8-11 and 15-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan (2003/0093320) in view of Gryglewicz et al. (6,993,502)

As per claim 18, Sullivan discloses a method of implementing a programmed interface between a calling application and at least one callable application (See Sullivan, Page 1, Paragraph 0002; Page 15, Paragraph 0129). Sullivan, however, does not explicitly disclose comprising: coding at least two controllers at different hierarchical levels, wherein said controllers are instances of a generic controller.

Gryglewicz shows coding at least two controllers at different hierarchical levels, wherein said controllers are instances of a generic controller (See Gryglewicz, Col.5, lines 55-67 to Col.6, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Gryglewicz within the system of Sullivan with the motivation of utilizing table-driven technologies to apply existing tax code definitions for both conventionally taxed goods and services as well as digital goods and services provided electronically over the Internet (See Gryglewicz, Col.4, lines 31-35).

Sullivan and Gryglewicz teach all the limitations above except "wherein the

generic controller is a class, and the at least two controllers are subclasses inherited

from the generic controller class". Therefore, Miller shows this limitation "wherein the

generic controller is a class, and the at least two controllers are subclasses inherited

from the generic controller class" (See Miller, Col.7, lines 25-54).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Miller within the collective teachings of

Gryglewicz and Sullivan with the motivation of providing an object class for providing

limiting user interaction to controls defined in a graphical user interface to which said

object class is applied (See Miller, Col.4, lines 61-67).

As per claim 19, Gryglewicz discloses the method wherein the controllers are

coded in an object-oriented programming language (See Gryglewicz, Co1.5, lines 45-

67).

As per claim 27, Sullivan discloses a computer program product including

program code, when executed on a computer system, for providing an interface

between a calling application and at least two transaction-tax calculation applications,

said interface is arranged to carry out, when called by the calling application, at least

one of: selecting one of the transaction-tax calculation applications depending on a

transaction attribute (See Sullivan, Page 1, Paragraphs 0002; Page 15, Paragraph

0129),

Sullivan does not explicitly disclose "said interface including at least two

controllers that cooperate with each other and are different hierarchical levels, wherein

the controllers are instances of a generic controller,

calling the selected transaction-tax calculation application and receiving a

response from the called transaction-tax calculation application; and calling at least two

of the transaction-tax calculation applications, comparing the responses returned by

them.

However, these features are known in the art, as evidenced by Gryglewicz. In

particular, Gryglewicz shows "said interface including at least two controllers that

cooperate with each other and are different hierarchical levels, wherein the controllers

are instances of a generic controller (See Gryglewicz, Col.5, lines 55-67 to Co1.6, line

30), calling the selected transaction-tax calculation application and receiving a response

from the called transaction-tax calculation application (See Gryglewicz, Co1.7, lines 1-

45); and calling at least two of the transaction-tax calculation applications, comparing

the responses returned by them (See Gryglewicz, Co1.7, lines 1-35).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Gryglewicz within the system of Sullivan with

the motivation of utilizing table-driven technologies to apply existing tax code definitions

for both conventionally taxed goods and services as well as digital goods and services

provided electronically over the Internet (See Gryglewicz, Co1.4, lines 31-35).

Sullivan and Gryglewicz teach all the limitations above except "wherein the

generic controller is a class, and the at least two controllers are subclasses inherited

from the generic controller class". Therefore, Miller shows this limitation "wherein the generic controller is a class, and the at least two controllers are subclasses inherited from the generic controller class" (See Miller, Col.7, lines 25-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Miller within the collective teachings of Gryglewicz and Sullivan with the motivation of providing an object class for providing limiting user interaction to controls defined in a graphical user interface to which said object class is applied (See Miller, Col.4, lines 61-67).

As per claim 28, Gryglewicz discloses the computer program product wherein the interface is further arranged to return a response to the calling application based on the response from the called transaction-tax calculation application or, if at least two transaction-tax calculation applications have been called, based on the comparison (See Gryglewicz, Col.7, lines 1-45).

As per claim 29, Gryglewicz discloses the computer program product wherein the interface is further arranged to direct a response for logging purposes to a logging controller based on the response from the called transaction-tax calculation application or, if at least two transaction-tax calculation applications have been called, based on the comparison (See Gryglewicz, Col.9, lines 1-42).

As per claim 30, Sullivan discloses a software-implemented method of interfacing a calling application and at least two transaction-tax calculation applications, comprising, when a call is received from the calling application, at least one of: selecting one of the transaction-tax calculation applications depending on a transaction attribute, (See Sullivan, Page 1, Paragraphs 0002; Page 15, Paragraph 0129).

Sullivan does not explicitly disclose calling the selected transaction-tax calculation application and receiving a response from the called transaction-tax calculation application; and calling at least two of the transaction-tax calculation applications and comparing the responses returned by them, "wherein the interfacing is provided by an interface including at least two controllers that cooperate with each other and are different hierarchical levels, wherein the controllers are instances of a generic controller.

However, these features are known in the art, as evidenced by Gryglewicz. In particular, Gryglewicz suggests calling the selected transaction-tax calculation application and receiving a response from the called transaction-tax calculation application (See Gryglewicz, Col.7, lines 1-45); and calling at least two of the transaction-tax calculation applications and comparing the responses returned by them (See Gryglewicz, Col.7, lines 1-35), "wherein the interfacing is provided by an interface including at least two controllers that cooperate with each other and are different hierarchical levels, wherein the controllers are instances of a generic controller" (See Gryglewicz, Col.5, lines 55-67 to Co1.6, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Gryglewicz within the system of Sullivan with

the motivation of utilizing table-driven technologies to apply existing tax code definitions

for both conventionally taxed goods and services as well as digital goods and services

provided electronically over the Internet (See Gryglewicz, Co1.4, lines 31-35).

Sullivan and Gryglewicz teach all the limitations above except "wherein the

generic controller is a class, and the at least two controllers are subclasses inherited

from the generic controller class". Therefore, Miller shows this limitation "wherein the

generic controller is a class, and the at least two controllers are subclasses inherited

from the generic controller class" (See Miller, Col.7, lines 25-54).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Miller within the collective teachings of

Gryglewicz and Sullivan with the motivation of providing an object class for providing

limiting user interaction to controls defined in a graphical user interface to which said

object class is applied (See Miller, Col.4, lines 61-67).

As per claim 8, Sullivan discloses a computer program product including program

code, when executed on a computer system, for providing an interface between a

calling application and at least one callable application (See Sullivan, Page 1,

Paragraph 0002; Page 15, Paragraph 0129),

wherein the controller at the higher hierarchical level is arranged for receiving an

input request from the calling application and sending an output request to the controller

at the lower hierarchical level, and receiving an output response from the controller at

the lower hierarchical level as an input response (See Sullivan, Page 4, Paragraph

0047), the controller at the lower hierarchical level is arranged for receiving the output

request of the controller at the higher hierarchical level as an input request, sending an

output request to the callable application or one or more of the callable applications to

which it is associated, receiving an input response from the callable application or

applications, and sending an output response to the controller at the higher hierarchical

level (See Sullivan, Page 6, Paragraph 0059).

Sullivan, however, does not explicitly disclose "wherein the controller at the

higher hierarchical level is arranged for controlling an overall logic processing of the

interface, and the controller or controllers at the lower hierarchical level is or are

arranged for controlling a processing of the interface specific to the callable application

or applications with which the respective controller is associated" .Therefore, Gryglewicz

shows "wherein the controller at the higher hierarchical level is arranged for controlling

an overall logic processing of the interface, and the controller or controllers at the lower

hierarchical level is or are arranged for controlling a processing of the interface specific

to the callable application or applications with which the respective controller is

associated (See Gryglewicz, Col.8, lines 8-53).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Gryglewicz within the system of Sullivan with

the motivation of utilizing table-driven technologies to apply existing tax code definitions

for both conventionally taxed goods and services as well as digital goods and services

provided electronically over the Internet (See Gryglewicz, Col.4, lines 31-35).

As per claim 9, Gryglewicz discloses the computer program product providing an

interface to at least two callable applications of a same type, wherein the specific

processing for which the controller at the lower hierarchical level and assigned to the at

least two callable applications is arranged comprises deciding to which one of the at

least two callable applications the output request is sent (See Gryglewicz, Col.37, lines

1-41).

As per claim 10, Gryglewicz discloses the computer program product wherein the

at least two callable applications of the same type are transaction-tax calculation

applications (See Gryglewicz, Col.9, lines 14-41).

As per claim 11, Sullivan discloses the computer program product wherein the

controllers comprise at least one of the following components: an input/output module;

an input parser; a validation engine; a universal state machine; a knowledge base

module; a process carrier (See Sullivan, Page 15, Paragraphs 0127-0128).

As per claim 15, Sullivan discloses a software-implemented method of interfacing

a calling application and at least one callable application (See Sullivan, Page 1,

Paragraph 0002; Page 15, Paragraph 0129).

Sullivan, however does not explicitly disclose that the software method comprising:

using at least two software-implemented controllers at different hierarchical levels;

performing, both with the controllers at the higher and lower hierarchical levels, a

sequence of steps comprising: upon receipt of an input request from an higher

hierarchical level element, which is the calling application or a controller at a higher

hierarchical level, performing input request handling, sending at least one output

request to at least one lower hierarchical level element, which is a controller at a lower

hierarchical level or the at least one callable application, receiving an input response to

the at least one output request from the lower hierarchical level element, sending an

output response to the higher hierarchical level element, wherein the output request of

the controller at the higher hierarchical level is the input request to the controller at the

lower hierarchical level, and the output response of the controller at the lower

hierarchical level is the input response to the controller at the higher hierarchical level.

However, these features are known in the art, as evidenced by Gryglewicz. In particular,

Gryglewicz suggests that the software method having comprising: using at least two

software-implemented controllers at different hierarchical levels (See Gryglewicz, Fig.8;

Co1.5, lines 45-67 to Co1.6, line 60; Co1.7, lines 1-44); performing, both with the

controllers at the higher and lower hierarchical levels (See Gryglewicz, Co1.22, lines 60-

67 to Co1.23, line 23), a sequence of steps comprising: upon receipt of an input request

from an higher hierarchical level element, which is the calling application or a controller

at a higher hierarchical level (See Gryglewicz, Fig.3; Fig.4; Co1.8, lines 54-67 to Co1.9,

line 42), performing input request handling, sending at least one output request to at

least one lower hierarchical level element, which is a controller at a lower hierarchical

level or the at least one callable application, receiving an input response to the at least

one output request from the lower hierarchical level element, sending an output

response to the higher hierarchical level element, wherein the output request of the

controller at the higher hierarchical level is the input request to the controller at the

lower hierarchical level, and the output response of the controller at the lower

hierarchical level is the input response to the controller at the higher hierarchical level

(See Gryglewicz, Co1.10, lines 45-67 to Col.11, line 27; Col.30, lines 18-64).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Gryglewicz within the system of Sullivan with

the motivation of utilizing table-driven technologies to apply existing tax code definitions

for both conventionally taxed goods and services as well as digital goods and services

provided electronically over the Internet (See Gryglewicz, Col.4, lines 31-35).

Claims 16-17 and 20-26 recite the underlying process steps of the elements of

claims 4-5 and 7-11, respectively. As the various elements of claims 4-5 and 7-11 and

have been shown to be either disclosed by or obvious in view of the collective teachings

of Sullivan, Gryglewicz and Miller, it is apparent that the apparatus disclosed by the

applied prior art performs the recited underlying functions. As such, the limitations

recited in claims 16-17 and 20-26 are rejected for the same reasons given above for

claims 4-5 and 7-11, and incorporated herein.

5.   Examiner's Note; Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Arguments

6.   Applicant's arguments filed on 6/18/08 with respect to claims 1-11, 15-30 have been considered but are moot in view of the new ground(s) of rejection.

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to VANEL FRENEL whose telephone number is (571)272-

6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/
Supervisory Patent Examiner, Art
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/Vanel Frenel/

Examiner, Art Unit 3687

October 13, 2008